

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

METROPOLITAN TRANSPORTATION
AUTHORITY, *et al.*,

Plaintiffs,

NEW YORK STATE DEPARTMENT OF
TRANSPORTATION, *et al.*,

Intervenor-Plaintiffs,

v.

SEAN DUFFY, in his official capacity as
Secretary of the United States Department of
Transportation, *et al.*,

Defendants,

No. 25-cv-1413 (LJL)

**MOTION OF *AMICUS CURIAE* NYC SCHOOL BUS UMBRELLA SERVICES, INC.
FOR LEAVE TO FILE AN *AMICUS BRIEF* IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

Amicus curiae NYC School Bus Umbrella Services, Inc. (“NYCSBUS”) respectfully requests leave to file the attached proposed *amicus* brief in support of the plaintiffs’ motion for a preliminary injunction (Exhibit A).¹ NYCSBUS also submits a proposed order (Exhibit B). The plaintiffs and the defendants have consented to the filing of this brief. In support of this motion, NYCSBUS states as follows:

NYCSBUS is a major provider of school transportation services in New York City, operating 900 school buses that make up approximately 10% of New York City’s school bus fleet.

¹ NYCSBUS states that no counsel for any party authored this brief in whole or in part and no entity or person, aside from NYCSBUS or its counsel, made any monetary contribution intended to fund the preparation or submission of this brief.

Every school day, NYCSBUS transports nearly 10,000 students on 777 school bus routes that span all five boroughs of New York City and the surrounding areas. NYCSBUS tracks each of its 900 vehicles with an on-board GPS device, giving NYCSBUS access to a unique and comprehensive source of data on traffic patterns in the New York metropolitan area. It has used this data to closely monitor how traffic conditions in New York City have changed during implementation of the congestion pricing program at issue in this litigation.

NYCSBUS submits this brief to provide the Court with access to its proprietary data and analysis on traffic conditions in the New York area, which is “unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.” *Auto. Club of N.Y., Inc. v. Port Auth. of N.Y. & N.J.*, 2011 WL 5865296, at *2 (S.D.N.Y. Nov. 22, 2011) (quotations omitted). As detailed further in the proposed *amicus* brief, NYCSBUS has seen dramatic improvements in traffic conditions in Manhattan since the implementation of congestion pricing, suggesting that the policy has significant benefits for New York City schoolchildren. The proposed *amicus* brief will therefore assist the Court in assessing the plaintiffs’ motion for a preliminary injunction by providing the Court with information on how an injunction would be in the public interest. This Court has previously permitted other *amici* to file briefs in related litigation involving the New York City congestion pricing program. *See, e.g., Order, Chan v. U.S. Department of Transportation*, No. 23-cv-10365 (S.D.N.Y. Apr. 12, 2024), Dkt. No. 72.

CONCLUSION

For the foregoing reasons, the Court should grant NYCSBUS leave to file its proposed *amicus* brief.

Date: May 14, 2025

Respectfully submitted,

/s/ Harry Sandick

Harry Sandick

Ian D. Eppler

PATTERSON BELKNAP WEBB & TYLER LLP

1133 Avenue of the Americas

New York, NY 10036

(212) 336-2000

hsandick@pbwt.com

ieppler@pbwt.com

*Counsel for Amicus Curiae NYC School Bus
Umbrella Services, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will provide electronic notice and an electronic link to this document to all attorneys of record.

/s/ Harry Sandick

Harry Sandick

PATTERSON BELKNAP WEBB & TYLER LLP

1133 Avenue of the Americas

New York, NY 10036

(212) 336-2000

hsandick@pbwt.com

*Counsel for Amicus Curiae NYC School Bus
Umbrella Services, Inc.*